

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

THOMAS E. MORIARTY,)	
)	
Plaintiff,)	8:04CV330
)	
vs.)	ORDER
)	
CAPITAL MANAGEMENT SERVICES,)	
INC.,)	
)	
Defendant.)	

This matter is before the court on the defendant's Motion to Seal Filing Number 46 (Filing No. 54). The defendant seeks to file under seal its "Affidavit of Dena Biondolillo" (Filing No. 46) because the document contains confidential information related to collection notes concerning the plaintiff's account. The defendant represents that redaction would not be sufficient to prevent public access to this information. The defendant states the plaintiff does not oppose the motion. Upon consideration,

IT IS ORDERED:

1. The defendant's Motion to Seal Filing Number 46 (Filing No. 54) is granted.
2. The Clerk of Court shall file the defendant's "Affidavit of Dena Biondolillo" (Filing No. 46) under seal.

DATED this 11th day of October, 2005.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge